

ZFW



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In re application of : Chris CHEN
 Application No. : 10/829,360
 Filed : April 22, 2004
 For : MOVING-LOOP ADVERTISEMENT DEVICE WITH SELF STOPPING
 AND SMOOTHING ELEMENTS

Docket No.: P05033
 Group Art Unit: 3611
 Examiner: Brain GREEN

COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith in the above-captioned application:
X **Election with Traverse**

The fee has been calculated as shown below:

Claims After Amendment	No. of Claims Previously Paid	Present Extra	Small Entity		Large Entity	
			Rate	Fee	Rate	Fee
*Total Claims: 16	16	0	x 25=	\$	x 50=	\$
**Indep. Claims: 1	1	0	x 100=	\$	x 200=	\$
Multiple Dependent Claims Presented			+180=	\$	+360=	\$
Extension Fees for Month				\$		\$
				\$		\$
Total:				\$	Total:	\$

* If less than 20, write 20

**If less than 3, write 3

 Fees are to be charged to a Credit Card. See attached form PTO-2038.

 Please charge my Deposit Account No. **50-2929** in the amount of \$.

 A Check in the amount of \$ to cover the necessary fee is included.

X The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-2929**:

X Any additional filing fees required under 37 C.F.R. 1.16.

X Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3).

April 11, 2006
 Date

Abraham Hershkovitz
 Reg. No. 45,294



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chris CHEN

Group Art Unit: 3611

Appln No : 10/829,360

Examiner: Brian GREEN

Filed : April 22, 2004

Confirmation No.: 6066

For : MOVING-LOOP ADVERTISEMENT DEVICE WITH SELF
STOPPING AND SMOOTHING ELEMENTS

ELECTION WITH TRAVERSE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's election of species requirement of March 16, 2006, the time set for response being one (1) month from the mailing date from the U.S. Patent and Trademark Office, i.e., April 16, 2006, Applicant hereby elects the species of Group I, i.e., figs. 1-5. The above election is made with traverse for the reasons set forth below.

Inasmuch as the Official Action sets a one month shortened statutory period which expires April 16, 2006, this Election is being timely filed and no extension of time is believed to be necessary. However, if an extension is deemed by the Patent and Trademark Office to be necessary, the same is hereby requested and the Patent and Trademark Office is hereby authorized to charge any necessary fees in connection therewith or any fees necessary to

preserve the pendency of this application to deposit account No. 50-2929.

In the Official Action of March 16, 2006, the Examiner required election of:

Species I: as shown in figs. 1-5;

Species II: as shown in figs. 6 and 7;

Species III: as shown in figs. 8 and 9; and

Species IV: as shown in fig. 12.

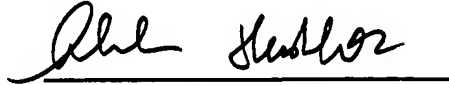
Additionally, the Examiner required that Applicant list all claims readable on the elected species.

Applicant hereby elects, with traverse, Species I as defined by the Examiner. At least claim 1 is generic and claim 2 additionally reads on the elected Species I. In accordance with 37 C.F.R. 1.141(a) and M.P.E.P. 809.02(c), even if the Examiner does not withdraw the election of species requirement, it is expected that the non-elected claims will be allowed along with any allowable generic claims.

In view of the fact that the Examiner has not shown the generic claim to not be allowable, the Examiner's election of species requirement is believed to be improper. Nevertheless, Applicant has elected, with traverse, Species I, in the event that the Examiner chooses not to reconsider and withdraw the election of species requirement.

Should the Examiner have any questions or comments, the undersigned may be contacted at the telephone number listed below.

Respectfully submitted,
Chris CHEN


Abraham HersHKovitz
Reg. No. 45,294

April 11, 2006
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